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EXAMINER

BOYCE, ANDRE D

ART UNIT	PAPER NUMBER
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3623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/619,496	Applicant(s) BRESLIN ET AL.	
	Examiner Andre Boyce	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-19,27-29 and 31-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-19,27-29 and 31-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Non-Final office action is in response to Applicant's amendment filed 2/24/10. Claims 1, 7, 9, 14, 18 and 19 have been amended. Claims 1-3, 5-19, 27-29 and 31-41 are pending.
2. The previously pending rejections to claims 1-3 and 5-19 under 35 USC 101 have been withdrawn.
3. Applicant's arguments with respect to claims 1-3, 5-19, 27-29 and 31-41 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 5, 6, 18, 19, 27, 28, 31, 32, 40 and 41 are rejected under 35 U.S.C. 102(e) as being anticipated by Bechhofer et al (USPN 7,305,351).

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As per claim 1, Bechhofer et al disclose a method for providing business continuity in an enterprise (i.e., projecting a future condition of a business, including identifying a plurality of risks, column 1, lines 60-62, including business continuity planning, column 9, lines 61-63) comprising: using at least one computer processor (i.e., automation of the risk management system, via a computer based tool, column 11, lines 24-32), collecting department information describing at least one department within the enterprise (i.e., business units 300 managing risk through the use of facilities and services provided by staff departments 310, column 13, lines 53-56 and column 14, lines 7-9), storing the department information in an electronic database (i.e., compiled via computer based tool, column 11, lines 30-32); using the at least one computer processor, assessing a criticality of the at least one department (i.e., business units 300 are responsible for the ongoing identification and evaluation of risks within the business and selecting and implementing risk management measures, column 13, lines 53-56); storing the assessment of the criticality of the at least one department in the electronic database (i.e., compiled via computer based tool, column 11, lines 30-32); using the at least one computer processor, developing a recovery plan for recovery from a degradation of a functionality of the at least one department, wherein the recovery plan aims to ensure the business continuity of the at least one department (i.e., staff departments 310 and corporate risk/opportunity management department 320 that support business units 300 and have responsibility for risk/opportunity policy setting, risk/opportunity oversight and for developing tools and standards for the

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implementation of risk/opportunity management, column 13, lines 38-43) storing the recovery plan in the electronic database (i.e., compiled via computer based tool, column 11, lines 30-32); using the at least one computer processor, assessing the recovery plan (i.e., corporate risk/opportunity management 320 may prepare comprehensive risk and opportunity reports based on the reports coming in from individual business units 300 and staff departments 310, wherein these reports may form the basis on which corporate risk/opportunity management 320 prepare comprehensive risk and opportunity reports for the entire corporation. Finally, corporate risk/opportunity management 320 may provide ongoing generic risk/opportunity management training including the sharing of risk/opportunity management knowledge and best practices, and the identification of risk transfer strategies in accordance with established risk retention levels, column 15, lines 38-54); storing the assessment of the recovery plan in the electronic database (i.e., compiled via computer based tool, column 11, lines 30-32); testing the recovery plan and recording the results of the testing (i.e., column 15, lines 38-54); storing the recorded results of the testing in the electronic database (i.e., compiled via computer based tool, column 11, lines 30-32); and using the at least one computer processor, providing status data from the electronic database, wherein the status data comprises at least one of a status of: the collection of the department data; the assessment of the criticality; the development of the recovery plan; and the testing of the recovery plan (i.e., corporate risk/opportunity management 320 may provide ongoing generic risk/opportunity management training including the sharing of

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risk/opportunity management knowledge and best practices, and the identification of risk transfer strategies in accordance with established risk retention levels, column 15, lines 38-54).

As per claim 2, Bechhofer et al disclose the step of collecting department information further comprises at least one of: collecting department information with respect to the department name; collecting department information with respect to the department manager; collecting department information with respect to a primary location of the department, collecting department information with respect to a recovery location of the department; collecting department information with respect to products and services provided by the department (i.e., business units 300 managing risk through the use of facilities and services provided by staff departments 310, column 13, lines 53-56 and column 14, lines 7-9); collecting department information with respect to a total number of production seats required by the department; and collecting department information with respect to a number of specialized production seals required by the department.

As per claim 5, Bechhofer et al disclose the step of collecting department information further comprises at least one of: collecting department information with respect to software applications relied on by the department (i.e., IT risks, including a risk that the IT systems will become unavailable for use, column 10, lines 56-59); and collecting department information with respect to external vendors relied on by the department.

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As per claim 6, Bechhofer et al disclose wherein as part of the step of assessing the criticality of the department, the degradation of a functionality of the department is assumed, the step of assessing the criticality of the department further comprises at least one of: assessing an impact on external customers of the enterprise resulting from the degradation of the functionality of the department; assessing an impact on internal customers of the enterprise resulting from the degradation of the functionality of the department; assessing a financial impact resulting from the degradation of the functionality of the department (i.e., identification of financial risks, column 8, lines 1-2); assessing an allowable time period that the degradation of the functionality of the department can last; assessing an impact on regulatory obligations resulting from the degradation of the functionality of the department; and assessing an impact on legal obligations resulting from the degradation of the functionality of the department.

As per claim 18, Bechhofer et al disclose questioning the developer of the plan as to whether it has required elements; and developing a corrective action plan to address missing required elements (i.e., corporate risk/opportunity management 320 may prepare comprehensive risk and opportunity reports based on the reports coming in from individual business units 300 and staff departments 310, wherein these reports may form the basis on which corporate risk/opportunity management 320 prepare comprehensive risk and opportunity reports for the entire corporation. Finally, corporate risk/opportunity management 320 may provide ongoing generic risk/opportunity management training including the sharing of risk/opportunity

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management knowledge and best practices, and the identification of risk transfer strategies in accordance with established risk retention levels, column 15, lines 38-54).

As per claim 19, Jacobs et al disclose providing status data on the enterprise level; providing status data on a line of business level; and providing status data on a department level (i.e., corporate risk/opportunity management 320 may prepare comprehensive risk and opportunity reports based on the reports coming in from individual business units 300 and staff departments 310, wherein these reports may form the basis on which corporate risk/opportunity management 320 prepare comprehensive risk and opportunity reports for the entire corporation. Finally, corporate risk/opportunity management 320 may provide ongoing generic risk/opportunity management training including the sharing of risk/opportunity management knowledge and best practices, and the identification of risk transfer strategies in accordance with established risk retention levels, column 15, lines 38-54).

Claims 27, 28, 31, 32, 40 and 41 are rejected based upon the same rationale as the rejections of claims 1, 2, 5, 6, 18 and 19, respectively, since they are the system claims corresponding to the method claims.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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7. Claims 3, 17, 29 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bechhofer et al (USPN 7,305,351), in view of Davenport et al (US 2004/0103431).

As per claim 3, Bechhofer et al does not disclose wherein a loss of use of the primary location is assumed, the steps of collecting department information with respect to the total number of production seats and the specialized production seats further comprises at least one of: determining how many of each type of seat is required a same day as the loss of use of the primary location; determining how many of each type of seat is required a day after the loss of use of the primary location; determining how many of each type of seat is required a week after the loss of use of the primary location; and determining how many of each type of seat is required a month after the loss of use of the primary location. Davenport et al disclose a detailed map or schematic of a floor plan of a facility, including room numbers and functions of the room (i.e., determining how many of each type of seat is required a same day as the loss of use of the primary location, ¶ 0044). It would have been obvious to one of ordinary skill in the art to include a detailed map or schematic of a floor plan of a facility, including room numbers and functions of the room in the Bechhofer et al system, as seen in Davenport et al, since the claimed invention is merely a combination of old elements, and in the combination each element would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

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As per claim 17, Bechhofer et al disclose all of the steps are facilitated using a software application, the method further comprising: generating data input screens for accepting input from a user (i.e., automation of the risk management system, via a computer based tool, column 11, lines 24-32). Bechhofer et al does not disclose providing drop down boxes on the data input screens in order to facilitate selection of predefined information. Davenport et al disclose selecting graphical objects on the electronic plan such as by using directional arrow keys (§ 0061). It would have been obvious to one of ordinary skill in the art to include providing drop down boxes on the data input screens in order to facilitate selection of predefined information in the Bechhofer et al system, as seen in Davenport et al, since the claimed invention is merely a combination of old elements, and in the combination each element would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claims 29 and 39 are rejected based upon the same rationale as the rejections of claims 3 and 17, respectively, since they are the system claims corresponding to the method claims.

8. Claims 7-14 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bechhofer et al (USPN 7,305,351), in view of Jacobs et al (USPN 5,185,697).

As per claim 7, Bechhofer et al does not disclose assigning specific people to fulfill roles in a case of interruption of the business of the enterprise, wherein the

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roles include at least one of: building emergency organization chairperson; business executive; facilities regional manager; and human departments coordinator.

Jacobs et al disclose assigning specific people to fulfill roles in a case of interruption of the business of the enterprise (i.e., top decision makers located at the crisis command center, column 6, lines 27-29), wherein the roles include at least one of: building emergency organization chairperson; business executive (i.e., executive summary, table 2); facilities regional manager; and human departments coordinator. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include assigning specific people to fulfill roles in a case of interruption of the business of the enterprise, wherein the roles include at least one of: building emergency organization chairperson; business executive; facilities regional manager; and human departments coordinator in Bechhofer et al, as seen in Jacobs et al, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 8, Bechhofer et al does not disclose receiving acknowledgements of the acceptances of the assignments from the specific people. Jacobs et al disclose receiving acknowledgements of the acceptances of the assignments from the specific people (i.e., remote units 200 as investigative units communicating with the crisis command center 100, where the top decision makers are located, column 6, lines 24-35). It would have been obvious to one of ordinary skill in the art at the time

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the invention was made to include receiving acknowledgements of the acceptances of the assignments from the specific people in Bechhofer et al, as seen in Jacobs et al, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 9, Bechhofer et al does not disclose assigning alternate people to fulfill the roles. Jacobs et al disclose assigning alternate people to fulfill the roles (i.e., remote units 200 as investigative units communicating with the crisis command center 100, where the top decision makers are located, column 6, lines 24-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include assigning alternate people to fulfill the roles in Bechhofer et al, as seen in Jacobs et al, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 10, Bechhofer et al does not disclose the role of building emergency organization chairperson comprises at least one of: overseeing recovery activities in the event of an emergency; providing status on the recovery activities; prioritize resumption of critical functions; and compiling a list of all business units in a facility and their designated assembly areas, and recovery sites.

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Jacobs et al disclose the role of building emergency organization chairperson comprises at least one of: overseeing recovery activities in the event of an emergency; providing status on the recovery activities (i.e., status of crisis, table 2); prioritize resumption of critical functions; and compiling a list of all business units in a facility and their designated assembly areas, and recovery sites. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the role of building emergency organization chairperson comprises at least one of: overseeing recovery activities in the event of an emergency; providing status on the recovery activities; prioritize resumption of critical functions; and compiling a list of all business units in a facility and their designated assembly areas, and recovery sites in Bechhofer et al, as seen in Jacobs et al, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 11, Bechhofer et al does not disclose the role of business executive comprises at least one of: assessing a risk exposure for the enterprise as a result of an emergency; declaring a disaster recovery condition; and prioritizing the reentry of employees to the building.

Jacobs et al disclose the role of business executive comprises at least one of: assessing a risk exposure for the enterprise as a result of an emergency; declaring a disaster recovery condition (i.e., current supplies, incoming aid, injuries, shortages,

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etc., in a natural disaster, column 5, lines 33-35); and prioritizing the reentry of employees to the building. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the role of business executive comprises at least one of: assessing a risk exposure for the enterprise as a result of an emergency; declaring a disaster recovery condition; and prioritizing the reentry of employees to the building in Bechhofer et al, as seen in Jacobs et al, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 12, Bechhofer et al does not disclose the role of facilities regional manager comprises at least one of: ordering partial or total evacuation of a facility; determining an anticipated length of the outage of a facility; supervising activities to restore the facility; providing status of the facility; coordinating with local police, fire and other public safety officials.

Jacobs et al disclose the role of facilities regional manager comprises at least one of: ordering partial or total evacuation of a facility; determining an anticipated length of the outage of a facility; supervising activities to restore the facility; providing status of the facility (i.e., current supplies, incoming aid, injuries, shortages, etc., in a natural disaster, column 5, lines 33-35); coordinating with local police, fire and other public safety officials. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the role of facilities regional manager

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comprises at least one of: ordering partial or total evacuation of a facility; determining an anticipated length of the outage of a facility; supervising activities to restore the facility; providing status of the facility; coordinating with local police, fire and other public safety officials in Bechhofer et al, as seen in Jacobs et al, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 13, Bechhofer et al does not disclose the role of human departments coordinator comprises at least one of: accounting for employees in an emergency at a facility; coordinating activities to seek out employees who are not accounted for in the emergency; generating lists of names and employee contact information for employees at the affected facility, and maintaining hard-copy printouts of employee contact information.

Jacobs et al disclose the role of human departments coordinator comprises at least one of: accounting for employees in an emergency at a facility; coordinating activities to seek out employees who are not accounted for in the emergency; generating lists of names and employee contact information for employees at the affected facility (i.e., crisis team members extracting information from a database including a victim's name, address, age, medical record and closest relative, column 10, lines 25-41), and maintaining hard-copy printouts of employee contact information. It would have been obvious to one of ordinary skill in the art at the time

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the invention was made to include the role of human departments coordinator comprises at least one of: accounting for employees in an emergency at a facility; coordinating activities to seek out employees who are not accounted for in the emergency; generating lists of names and employee contact information for employees at the affected facility, and maintaining hard-copy printouts of employee contact information in Bechhofer et al, as seen in Jacobs et al, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

As per claim 14, Bechhofer et al does not disclose collecting employee information with respect to the employees of the department, the employee information including at least three of: the employee's name; primary work location; primary work region; primary work phone number; primary work facsimile number; pager number, pager Personal Identification number, cellular phone number; home phone number; alternate home phone number, personal internet addresses; alternate work location; alternate work address; and alternate work phone number.

Jacobs et al disclose collecting employee information with respect to the employees of the department, the employee information including at least three of: the employee's name; primary work location; primary work region; primary work phone number; primary work facsimile number; pager number, pager Personal Identification number, cellular phone number; home phone number; alternate home

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phone number, personal internet addresses; alternate work location; alternate work address; and alternate work phone number (i.e., crisis team members extracting information from a database including a victim's name, address, age, medical record and closest relative, column 10, lines 25-41). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include collecting employee information with respect to the employees of the department, the employee information including at least three of: the employee's name; primary work location; primary work region; primary work phone number; primary work facsimile number; pager number, pager Personal Identification number, cellular phone number; home phone number; alternate home phone number, personal internet addresses; alternate work location; alternate work address; and alternate work phone number in Bechhofer et al, as seen in Jacobs et al, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claims 33-36 are rejected based upon the same rationale as the rejections of claims 7-9 and 14, respectively, since they are the system claims corresponding to the method claims.

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9. Claims 15, 16, 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bechhofer et al (USPN 7,305,351), in view of Jacobs et al (USPN 5,185,697), in further view of Sudia (US 2005/0114653).

As per claims 15-16, neither Bechhofer et al, nor Jacobs et al disclose generating a wallet card for the employee using the employee information, wherein the wallet card is generated at a workstation of the employee, and the wallet card contains a hotline, a website, and at least one emergency location that the employee can use in an emergency. Sudia discloses a certification authority giving a user a wallet card containing contact information pertaining to a lost, stolen, destroyed or compromised machine (§ 0056). It would have been obvious to one of ordinary skill in the art to include a wallet card in the Bechhofer et al system, as seen in Sudia, since the claimed invention is merely a combination of old elements, and in the combination each element would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Claims 37-38 are rejected based upon the same rationale as the rejections of claims 15-16, respectively, since they are the system claims corresponding to the method claims.

Response to Arguments

10. In the Remarks, Applicant argues the Office Action has failed to create a prima facie case of obviousness. The Examiner respectfully disagrees. As discussed in

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the MPEP § 2141, “The key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. The Court quoting *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006), stated that “[R]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” KSR, 550 U.S. at ___, 82 USPQ2d at 1396.

Exemplary rationales that may support a conclusion of obviousness include: (A)

Combining prior art elements according to known methods to yield predictable results; (B) Simple substitution of one known element for another to obtain predictable results; (C) Use of known technique to improve similar devices (methods, or products) in the same way; (D) Applying a known technique to a known device (method, or product) ready for improvement to yield predictable results; (E) “ Obvious to try ” – choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success; (F) Known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations are predictable to one of ordinary skill in the art; (G) Some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention. See MPEP § 214.3 for a discussion of the rationales listed above along with examples

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illustrating how the cited rationales may be used to support a finding of obviousness.

See also MPEP § 2144 - § 2144.09 for additional guidance regarding support for obviousness determinations” (emphasis added).

Accordingly, the Examiner has employed rationale A, combining prior art elements according to known methods to yield predictable results, to support the conclusion of obviousness.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Baudoin et al (USPN 7290275) disclose assessing an information security policy.

-McCall et al (USPN 7058710) disclose collecting, analyzing, consolidating and delivering data.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (571)272-6726. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beth Boswell can be reached on (571) 272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Andre Boyce/
Primary Examiner, Art Unit 3623
May 31, 2010